IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 1ST NOVEMBER 2007 / 10TH KARTHIKA 1929

WA.No. 2442 of 2007

AGAINST THE ORDER OF THIS COURT IN I.A.NO.11603/2007 IN
WP(C) NO.17323/2007 Dated 24/08/2007

APPELLANT: PETITIONER

S.SABU,
PALLUKARAN THUNDANVEETTIL, ADOOR TALUK,
THONNALLUR VILLAGE, PATHANAMTHITTA DISTRICT.

BY ADV. SRI.SALIM V.S.
SRI.RAFEEQUE KOTTAKKAL

RESPONDENTS: RESPONDENTS

1. THE AUTHORIZED OFFICER,
   STATE BANK OF INDIA, (POSSESSION OF IMMOVABLE
   PROPERTIES MORTGAGE UNDER SECURITIZATION ACT),
   THIRUVALLA BRANCH, THIRUVALLA,
   PATHANAMTHITTA DISTRICT.

2. STATE BANK OF INDIA,
   REPRESENTED BY THE BRANCH MANAGER,
   THIRUVALLA, PATHANAMTHITTA.

3. P.A.AZEEZ KUNJU,
   PROP. M/S. ALSTAR METAL CO. PVT. LTD.,
   KOLLAZHAMATTAM BUNGALOW, KURATTISSERY VILLAGE,
   CHENGANNUR TALUK.

   BY ADV. SRI.P.V.SURENDRANATH

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 1/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN,J.

W.A. NO. 2442 OF 2007

Dated this the 1st November, 2007

JUDGMENT

H.L.DATTU, C.J.

In the normal course we would not have entertained this Writ Appeal. But taking note of the fair plea made by the learned counsel appearing for the appellant, we deem it fit to grant some time to the appellant to quit and deliver vacant possession of the premises which is in his occupation. Accordingly, we dispose of the Writ Appeal as under:

i) Appellant is granted another month's time from today to quit and deliver vacant possession of the premises to the respondent Bank.

ii) Appellant shall not ask for any extension of time.

iii) The order passed by us shall not be treated as a precedent in any other case.

Ordered accordingly.

(H.L.DATTU)
Chief Justice

(K.T.SANKARAN)
Judge

ahz/